



### **Acknowledgement of TANF Suspicion-based Drug Testing Policy**

Effective July, 1, 2014, the Kansas Department for Children and Families will begin implementation of a suspicion-based drug testing policy. The Kansas Legislature passed a bill in 2013 to mandate this policy.

Suspicion-based drug testing is required for Temporary Assistance for Needy Families (TANF) applicants, recipients and payees when there appears to be unlawful use of a controlled substance or a controlled substance analog. The definition of a controlled substance, and the list of such substances, is in K.S.A. 65-4105 and 65-4107. The definition of a controlled substance analog (K.S.A. 65-4101) (bb)) is that which is intended for human consumption, has a chemical structure of which is substantially similar to the chemical structure of a controlled substance and which has a stimulant, depressant or hallucinogenic effect on the central nervous system substantially similar to a controlled substance.

1. What are the suspicion-based indicators?
  - Arrest records (within the last 12 months)
  - Employment records (loss of job for failing a drug test, etc. within the last 12 months)
  - Self-declaration
  - Visual observation of drug use
  - Visual observation of drug paraphernalia
  - SASSI (Substance Abuse Subtle Screening Inventory) indicators
  - Prior Refusal to drug test
2. Who is required to submit to drug testing?
  - Any TANF applicant or recipient who exhibits illegal substance use
3. What substances are you testing?
  - Amphetamines/Methamphetamines
  - Cannabinoids (THC, Marijuana)
  - Cocaine
  - Opiates
  - Phencyclidine (PCP)
4. Who conducts the drug test?
  - DCF contracts with sites across Kansas that are licensed to conduct sampling and testing.
5. What type of test is going to be used?
  - Urine sample testing.
6. What is the average cost of testing, and who will pay for the test?
  - Test costs range from \$15 to \$42, depending on the site.
  - DCF will pay for the cost of the original sample. Requests for re-reading of the original sample are at the client's expense, unless the result is a false positive.

7. What are the consequences for testing positive?
  - A first positive drug test requires an individual to complete substance abuse treatment and a job-skills training course. There is no defined time for the customer to complete these activities. The individual is removed from the TANF benefit. Once the requirements are completed, the individual will be added back to the TANF case.
  - A second positive drug test results in 12 months of ineligibility for the individual. This person must also complete substance abuse treatment and jobs skills training prior to being re-added to the TANF case.
  - A third positive drug test results in the individual being ineligible for TANF for their lifetime.
8. Are there any consequences for failure to test?
  - A first failure to drug test results in ineligibility for TANF for the individual for six months. Prior to being added back to the assistance case, they must submit to drug testing.
  - A second failure to drug test results in ineligibility for TANF for the individual for 12 months. Prior to being added back to the assistance case, they must submit to drug testing.
  - A third failure to drug test results in ineligibility for TANF for the individual for their lifetime.
9. Do the children remain eligible for assistance while the parent or other adult is ineligible?
  - Yes, children remain eligible for assistance. The cash benefit is assigned to a protective payee, who is responsible to assure household expenses are paid.
10. How is a protective payee assigned?
  - The household can select a protective payee. If the protective payee meets the payee criteria and passes a screening test, they are allowed to become the payee.
  - If the household cannot name a payee, DCF will assist in naming a payee. DCF employees will never serve as payee for a household.
11. Who provides substance abuse treatment for those testing positive?
  - DCF contracts with the Kansas Department of Aging and Disability Services, which provides case management for those identified with substance abuse disorders.
12. Who provides job skills training?
  - DCF utilizes services available through the Kansas Department of Commerce and the Kansas Department of Labor to provide job skills training services.
13. Will you test Food Assistance or Child Care recipients?
  - No, DCF will only test TANF applicants or recipients. However, if a disqualification is applied to a person who receives TANF and food assistance, the same disqualification will be applied to the food assistance case. Only the person who tested positive or failed to comply is disqualified from food assistance. The remaining household members will continue to get benefits if otherwise eligible.

I have received information about the suspicion-based drug testing policy and understand the requirements set out in the policy. The complete policy is available at [www.dcf.ks.gov](http://www.dcf.ks.gov).

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Signature

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Date